TL 4401

OMCT
OPERATING THE SOS-TORTURE NETWORK

ORGANISATION MONDIALE CONTRE LA TORTURE
WORLD ORGANIZATION AGAINST TORTURE
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Case IDN/TMP 120598

The International Secretariat of OMCT requests yours **URGENT** intervention in the following situation in **Indonesia/ East Timor**.

Brief description of the situation:

The East Timor Human Rights Centre (ETHRC), a member the network, has expressed its grave concern for the physical and psychological integrity of eight East Timorese men arrested on 2 April 1998 by members of the Indonesian military.

Marcal Amaral Magno Guterres (27), **Basilio Mendonca Manuel** (26), **Sarmento** and **Antonio Freitas** were arrested at 4 am on 2 April, together with four other unidentified East Timorese persons, when members of the Indonesian military entered a house in Hudi-Laran (a suburb of Dili), where it is believed that the eight had gathered for a clandestine resistance meeting. **Marcal Amaral Magno Guterres, Basilio Mendonca, Manuel Sarmento** and **Antonio Freitas** were taken to POLRES (Police Resort) headquarters in Dili, where they are still in detention, awaiting trial. It is believed that the other four detainees were taken to Becora Prison, however it is not known if they are still in detention.

According to the information received, sources have confirmed that at the time of their arrest the eight men were subjected to beatings. Furthermore, it is believed the four men detained at POLRES continued to be subjected to beatings during the first few days of their detention.

Given the great number of cases alleging torture and ill-treatment of detainees in military or police custody in Indonesia/East Timor the International Secretariat is gravely concerned for the physical and psychological integrity of **Marcal Amaral Magno Guterres, Basilio Mendonca, Manuel Sarmento** and **Antonio Freitas** and the other four persons arrested. It is feared that if the four persons are still in detention and not located soon, they risk further mistreatment **Action requested:**

Action Requested

Please write to the authorities of Indonesia urging them to:

i. guarantee the physical and psychological integrity of **Marcal Amaral Magno Guterres, Basilio Mendonca, Manuel Sarmento** and **Antonio Freitas** and the other four persons arrested and immediately locate the whereabouts of the these four persons;

ii. order the immediate release of the eight persons if they are detained without valid charges against them or, if such charges exist, bring them before a competent and impartial tribunal and guarantee their full procedural rights;

iii. guarantee an impartial and exhaustive enquiry into these incidents, identify those responsible, bring them to trial, and apply the penal, civil, and/or administrative sanctions provided by law;

iv. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with national laws and international standards;

Addresses:

MINISTER OF JUSTICE M. Haji Utoyo Usman S.H., Menteri Kehakiman, JI. H.R. Rasuna Said Kav. 6-7, Kuningan, Jakarta Selatan, Indonesia. Fax : + 62 21 525 3095

MINISTER OF FOREIGN AFFAIRS, Ali Alatas S.H. Menteri Luar Negeri, Jl Medan Taman Pejambon No. 6 Jakarta, Imdonesia, Fax +62 21 380 5511/360 517/345 7782/360 541

2. CHIEF OF POLICE FOR EAST TIMOR, Colonel Atok Rismanto, Kapolda Timor Timur, Dili, East Timor INDONESIA, Telegrams: Kapolda, Dili, East Timor

CHIEF OF NATIONAL POLICE Maj. Gen. (Pol.) Banurusman Atmosumitro, Kapolri, Markas Besar Kepolisian RI, Jl. Trunojoyo 13, Kebayoran Baru, Jakarta Selatan, Indonesia. Telegrams : National Police Chief, Jakarta, Indonesia

MILITARY COMMANDER REGION IX/UDAYANA(includes East Timor) General.Syahrir MS, Pangdam IX/Udayana, Markas Besar KODAM IX/Udayana, Denpasar, Bali, Indonesia. Telegram : Pangdam IX/Udayana, Denpasar, Bali, Indonesia.

SECRETARY GENERAL, NATIONAL COMMISSION ON HUMAN RIGHTS Prof. Dr. Baharuddin Lopa, Sekretaris Jenderal, Komisi Nasional Hak Azasi Manusia (Komnas HAM), Jl Latuharhary No.4B,Menteng Jakarta Pusat, Indonesia

The Indonesian Embassy in your respective country.

Geneva, 12 May 1998

Kindly inform us of any action taken quoting the code of this appeal in your reply.